

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Criminal Action No.
	)	06-00119-01-CR-W-SOW
JASON D. GRAY,	)	
	)	
Defendant.	)	

**MEMORANDUM OF MATTERS DISCUSSED AND  
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on September 20, 2006. Defendant Jason Gray appeared in person and with appointed counsel Laine Cardarella. The United States of America appeared by Assistant United States Attorney Stefan Hughes.

***I. BACKGROUND***

On April 4, 2006, an indictment was returned charging Defendant with one count of being a felon in possession of a firearm, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

The following matters were discussed and action taken during the pretrial conference:

## ***II. TRIAL COUNSEL***

Mr. Hughes announced that he will be the trial counsel for the government. The case agent to be seated at counsel table is Special Agent Darrell Reach, ATF.

Ms. Cardarella announced that she will be the trial counsel for Defendant Gray; Investigator Julie Eilers will also assist.

## ***III. OUTSTANDING MOTIONS***

Defendant's Motion to Suppress Evidence (Doc. No. 26) is still pending. A Report and Recommendation (Doc. No. 34) was filed on September 18, 2006.

## ***IV. TRIAL WITNESSES***

Mr. Hughes announced that the government intends to call nine witnesses without stipulations or five witnesses with stipulations during the trial.

Ms. Cardarella announced that Defendant Gray intends to call one witness during the trial. The defendant may testify.

## ***V. TRIAL EXHIBITS***

Mr. Hughes announced that the government will offer approximately fifteen exhibits in evidence during the trial.

Ms. Cardarella announced that Defendant Gray will not offer any exhibits in evidence during the trial.

## ***VI. DEFENSES***

Ms. Cardarella announced that Defendant Gray will rely on the defense of general denial.

***VII. POSSIBLE DISPOSITION***

Ms. Cardarella stated this case may be for trial.

***VIII. STIPULATIONS***

Stipulations are likely as to prior felony convictions.

***IX. TRIAL TIME***

Counsel were in agreement that this case will take two days to try.

***X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS***

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed April 24, 2006, counsel for each party file and serve a list of exhibits he or she intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by Wednesday, September 20, 2006;

That counsel for each party file and serve requested jury voir dire examination questions by or before noon, Wednesday, September 27, 2006;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions by or before noon, Wednesday, September 27, 2006. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and, if available to counsel, 3 and 1/2 inch computer disk in a form compatible with WordPerfect 9.0, 10.0, or 11.0.

***XI. UNUSUAL QUESTIONS OF LAW***

No motions in limine are anticipated. There are no unusual questions of law.

***XII. TRIAL SETTING***

All counsel and the defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on October 2, 2006.

/s/ Robert E. Larsen  
ROBERT E. LARSEN  
United States Magistrate Judge

Kansas City, Missouri  
September 20, 2006

cc: The Honorable Scott O. Wright  
Mr. Stefan Hughes  
Ms. Laine Cardarella  
Mr. Jeff Burkholder